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**IN THE
COURT OF APPEALS OF INDIANA**

IN THE MATTER OF THE TERMINATION OF)
THE PARENT-CHILD RELATIONSHIP OF)
K.M. and Z.M., Children and) No. 79A05-0705-JV-257
)
TAMMY CASTLE,)
Mother,)

APPEAL FROM THE TIPPECANOE SUPERIOR COURT
The Honorable Loretta Rush, Judge
Cause No. 79D03-0611-JT-262 & 79D03-0611-JT-263

October 23, 2007

MEMORANDUM DECISION - NOT FOR PUBLICATION

SHARPNACK, Judge

Tammy Castle (“Mother”) appeals the trial court’s termination of her parental rights to her children, K.M. and Z.M. Mother raises three issues, which we consolidate and restate as whether the trial court’s termination of Mother’s parental rights is clearly erroneous. We affirm.

The relevant facts follow. Mother is the parent of K.M., born August 9, 1991, and Z.M., born October 1, 1997, (collectively, the “Children”).¹ Mother lived with the Children in Arkansas until September 2003. At that time, Mother arranged for the Children to live in Indiana with her sister, Suzette Garretson, Suzette’s husband, Randy Garretson, and their two children while Mother trained to be a truck driver and secured appropriate employment. Mother anticipated that the Children would live with Suzette for twelve to eighteen months. Over the next year, Mother visited the Children once a month.

Mother met Larry Bennett during the truck driver training and became pregnant with twins. Mother gave birth to the twins in September 2004. Mother then moved with Bennett to Texas, where they now live with his parents.

In June 2004, the Fountain County Department of Child Services (“FCDCS”) received a report that Suzette’s teenage daughter, T.G., had been molested by her father, Randy. Randy admitted to molesting T.G. and was ultimately convicted of the offense. As a result of the molestation, Suzette entered into an informal adjustment with the FCDCS regarding the Children.

Mother visited the Children in December 2004. Mother discussed coming to Indiana to get the Children in June 2005 and December 2005, but did not do so. At some point T.G. had a child, and in December 2005, the Tippecanoe County Department of Child Services (“TCDCS”) received a report that Suzette was not supervising the children, that T.G. always had others care for her son, that Suzette’s son repeatedly exposed himself to others, that the family had been evicted, and that Suzette was unemployed. In January 2006, the trial court gave the TCDCS approval to remove Suzette’s children and Mother’s Children. At that time, Mother had not visited the Children in almost a year.

The TCDCS filed a petition alleging that the Children were children in need of services (“CHINS”). The TCDCS alleged that the Children’s physical or mental condition was seriously impaired or seriously endangered as a result of Mother’s inability, refusal, or neglect to supply the Children with necessary food, clothing, shelter, medical care, education, or supervision. Once removed from Suzette, the Children were not placed with Mother because she did not come to Indiana for another couple of months and failed to complete the initial assessments to have the Children placed in her care. As a result of the CHINS petition, the TCDCS performed a drug test on Mother in March 2006. Mother tested positive for cocaine. The TCDCS then notified Texas authorities, who performed additional drug testing. An initial urine test on Mother was positive for PCP, but a subsequent hair screen was negative.

¹ Andrew McCoy is the father of K.M., and Deon McKellar is the father of Z.M.

After a fact-finding hearing, on April 12, 2006, the trial court found that the Children were CHINS, placed them in foster care, and ordered Mother to: (1) participate in a Rapid Assessment; (2) participate in individual counseling with an appropriate provider; (3) visit with the children on a regular basis; (4) participate in home based services; (5) submit to random drug screens; (6) complete parenting classes; (7) complete a psychological evaluation and follow all recommendations; (8) remain drug free; (9) maintain monthly contact with the TCDCS; (10) establish paternity; and (11) cooperate with the ICPC process and follow all recommendations.

In July 2006, the trial court ordered Mother to: (1) participate in individual counseling; (2) cooperate fully with ICPC including contacting TCDCS weekly to advise as to contact with ICPC in Texas; (3) keep every appointment; (4) not talk to the Children about the twins, her finances, or her boyfriend; (5) visit with the Children once a month in Indiana; (6) participate in family counseling; (7) provide information for a background check on her boyfriend; (8) complete random drug screens; (9) complete a psychological evaluation and follow all recommendations; (10) remain drug and alcohol free; (11) obtain and maintain suitable housing; (12) initiate telephone calls twice a week with the Children and focus on their needs; (13) establish paternity; (14) complete parenting classes; (15) participate in home based services; (16) pay reimbursement to the TCDCS; (17) ensure that her boyfriend completes a psychological evaluation, rapid assessment,

hair drug screens, and attend parenting classes; and (18) ensure that her boyfriend attend the next review hearing.

In September 2006, the TCDCS filed an information for rule to show cause alleging that Mother had failed to comply with the trial court's orders, failed to obtain the required services, classes, and counseling, failed to have consistent monthly visits with the Children, and failed to initiate timely and consistent telephone conversations with the Children. The trial court held a hearing on the TCDCS's petition and found Mother in contempt for failing to ensure that her boyfriend be available for the hearing, failing to visit with the Children, and failing to participate in services. The trial court ordered that Mother be incarcerated and recommended work release. Although Mother was informed that she could visit the Children if she participated in work release, she declined to do so.

The trial court released Mother from incarceration in December 2006. At the same time, the trial court ordered Mother to: (1) have a supervised visit with the Children before returning to Texas; (2) confirm that she would attend the monthly supervised visits three days prior to the visits; (3) follow previous court orders; (4) remain drug and alcohol free; (5) maintain contact with the TCDCS every Friday regarding the status of her services; (6) provide information for a background check of her boyfriend; (7) complete all random drug screens; and (8) pay reimbursement to the TCDCS. The trial court also authorized the TCDCS to file a petition to terminate Mother's parental rights, which the TCDCS did.

In January 2007, the trial court held a hearing on the TCDCS's petition to terminate Mother's parental rights and issued the following findings of fact and conclusions thereon:

* * * * *

4. Pursuant to the dispositional order and parental participation decree issued April 12, 2006, Mother was offered the following services: rapid assessment, individual counseling, visitation, home-based/family preservation services, drug screens, parenting classes, psychological evaluation, family counseling, and case conferences.
5. Review hearings were held in the CHINS cases on June 30, 2006 and September 29, 2006. Case conferences were held periodically. The Tippecanoe County Department of Child Services ("[TCDCS]") and CASA prepared separate written reports and recommendations prior to each review. By the time of the first review hearing, [K.M.] and [Z.M.] were doing well in foster care. Both children were more open and were participating in positive activities. Mother had tested positive for cocaine on a drug screen collected February 7, 2006. Mother was not participating in any type of family preservation services, counseling, or drug screens in Texas. Mother had recently enrolled in a full-time school program to become a medical assistant. Twice weekly telephone calls between Mother and children were concerning. The foster parents were initiating the phone calls rather than Mother. Mother spent a great deal of time discussing the twins and little time talking about [K.M.] and [Z.M.]. Mother often left [Z.M.] out of the phone calls altogether. Both children expressed a desire to end or limit the phone calls. It was determined that Mother left the children with her sister nearly three (3) years prior. On multiple occasions, Mother made plans to retrieve the children but failed to arrive offering numerous excuses. The children were understandably bitter over Mother's abandonment. A Verified Information for Rule to Show Cause was filed on September 22, 2006. Mother was found in contempt for failing to comply with orders to insure her boyfriend appear at a hearing, to visit her children, and to participate in services. Mother was incarcerated with a recommendation for Work Release to allow her to continue to participate in services and visitation. By the time of the second review hearing, the children continued to develop socially. The

children remained angry and apathetic regarding Mother's phone calls which generally lasted approximately five (5) minutes. Mother had tested positive for PCP. The Mother had yet to begin services[.] Mother was inconsistent in making phone calls often leaving the children waiting by the phone. Mother had failed to attend monthly visits with the children.

6. A permanency hearing was held on December 1, 2006. By that time, [K.M.] was doing very well in school and showing musical talent. [Z.M.] was also doing well in school and started playing basketball. [Z.M.] continues to express much bitterness and resentment toward Mother. The children are very close and protective of each other. Mother had been incarcerated for contempt. Mother failed to contact [TCDCS] or her attorney although she contacted her boyfriend in Texas. Mother refused to participate in work release where she would have been permitted to visit the children and participate in services. The Court ordered a permanency plan of initiation of proceedings for the termination of parental rights as to Mother. The [TCDCS] filed its petitions in the above-referenced cause numbers on December 1, 2006. The evidentiary hearing on the Verified Petitions to Terminate Parental Rights was held on January 11, 2007.
7. Mother testified to the following at the evidentiary hearing on the [TCDCS's] petitions to terminate parental rights: She was a single parent working twelve (12) hour shifts at a chicken factory and left her children with her sister who could provide a two (2) parent family. In addition, she decided to train as an over-the-road truck driver. She met her current boyfriend, Larry Bennett, in 2003 during truck driver training. She and Larry are the parents of two year old twins. [K.M.] and [Z.M.] did not return home when she married Larry. She and Larry had been living with Larry's parents since August. She is currently unemployed. She is enrolled in business school in Texas. She was aware that Fountain County Child Protective Services was involved with her children because Randy molested his daughter, [T.G.]. She claims she did not know about the molestation until Randy had already left the home. She attempted to contact Suzette around the time of the molestation report but Suzette had moved. She did not know Randy's relatives. Suzette's phone number was disconnected. Suzette did not tell her about being evicted three (3) times. She planned to retrieve her children in July, 2005 but did not as the children were involved in a wedding. She planned to retrieve her children on December 22, 2005

but they were placed in protective custody on December 19, 2005. The children had been in the care of Suzette from September 2003. She never intended to move to Indiana to participate in reunification services. She reports she is currently involved in counseling and parenting classes in Texas. She has only participated in two (2) parenting classes. Texas Child Protective Services became involved when [TCDCS] reported the results of Mother's drug screen that was positive for cocaine. She failed a urine drug screen in Texas for PCP. She believes the PCP was a false positive for over-the-counter Mucinex DM. She did not finish her substance abuse evaluation. She did not participate in CARE Group. She did not participate in home-based services. She did not complete the psychological evaluation. She refused to participate in work release because she thought she would only be incarcerated for twenty (20) days. She knew she could have had visits with her children while on work release. Before Fountain County CPS became involved due to the molestation of [T.G.], she visited her children approximately once per month for about seven (7) days. After Tippecanoe County CPS took protective custody of the children, she visited them only when she was ordered to appear in Court. She missed phone calls that were ordered to be twice per week. The phone calls made lasted about ten (10) minutes. She believes the phone calls were short because the Court ordered her not to discuss the twins, her finances, or other similar matters. She is aware [Z.M.] is angry with her. She was not aware [K.M.] had been diagnosed with an emotional disability. She was not aware both children have been diagnosed as ADHD. She would prefer that the children remain together. She admits she could have done better in services and reports her failure to participate was due to lack of finances. She admits these services were not initially at her expense. She claims she was unaware of unsuitable living conditions in Suzette's home as it was clean when she visited. She reports that [K.M.] was raped in Arkansas by a nephew when she was eight years old. [K.M.'s] maternal grandmother told [K.M.] she "asked for it". She left the children with Suzette in September 2003 in order to pursue one year of over-the-road truck driver training. From September 2003 to September 2004, she visited the children once per month for about seven days. She sometimes did not make it every month. She met Larry in October 2003 and became pregnant with twins in February 2004. She does not know when Randy was arrested for molesting his daughter. She had pregnancy complications beginning in June 2004. She reports asking the children if they wished to come to Texas with

her and they stated they did but did not report the molestation or poor conditions of the home. From September 2004 to December 2005, she visited the children on Christmas 2004 and spoke with them on the phone two to three times per week. She never attempted to investigate or obtain information regarding the children's medical or school records. She has not worked since the twins were born.

8. Blake Jones was the Family Case Manager beginning mid-May 2006 and testified as follows: The children were removed from the actual physical custody of Suzette Garretson due to concerns regarding molest, instability, and conditions of the home. Mother had a hard time as a single parent with only two (2) children. Mother left [K.M.] home alone at age eleven to care for [Z.M.]. Mother placed the children in Suzette's care. This is a case of abandonment. Mother knew [K.M.] had been raped at age eight (8) but did nothing to intervene when Randy was arrested for molesting [T.G.]. The Mother was given direction regarding services. Mother never took the case seriously until this last month. Mother was ordered to visit the children once per month but has visited the children only four times in the last year whenever she was ordered to appear in Court. The Mother remained so physically distant it was impossible to maintain an emotional relationship with the children. He has observed feelings of abandonment in the children. From June 30th to July 31st, Mother missed four (4) telephone calls making only fifty percent (50%) of the court-ordered phone contacts leaving the children sitting at the phone waiting and devastated. Mother moved and failed to notify [TCDCS]. Mother's neglect of these children cannot be repaired. It would be harmful to the children to continue the parent-child relationships. It is in the best interests of the children to terminate parental rights. The children have progressed in foster care. These children, in particular, require stability. It is key that these children remain together. The children are adoptable.
9. The child's CASA supports termination of parental rights and adoption.

* * * * *

11. Josette Marks of Families United testified to the following at the evidentiary hearing on [TCDCS's] petition to terminate parental rights: She was the supervised visitation facilitator. Mother never visited with the children except when she was ordered to appear in

Court. During the entire CHINS proceedings, Mother visited the children on the following dates: February 7, 2006, March 18, 2006, July 1, 2006 and December 4, 2006. A visit in September was cancelled due to Mother's incarceration for contempt. The visits were quiet with ten (10) to fifteen (15) minute spans of silence. The remainder of the visits were clearly awkward. She monitored some phone calls between Mother and the children. One call lasted for seven (7) minutes. The children were "taken aback" when asked to call the Mother. Mother made no efforts to interact with the children on her own. The children appear bonded to one another and to their cousins but show less interest in any of the adults. The children themselves are adoptable. In her opinion, the Mother abandoned these children.

12. During the course of the CHINS proceeding, extensive assistance was provided to Mother including court hearing, case conferences, rapid assessment, psychological evaluation; visitation, individual counseling, family counseling, and home-based/family preservation services. These services have been exhaustive and have been designed to address the difficulties that have come to light since the initial removal of the children.
13. The Mother loves her children. Mother's lack of participation in services along with ongoing instability problems and untreated drug use pose a threat to the children. The children remain at risk for suffering further emotional and physical harm if reunited with Mother. The conditions that led to removal have not been remedied. The Mother appeared at the termination hearing no more stable than at the time of removal. Mother's initial abandonment of the children continued through the termination hearing. To continue the parent-child relationships would be detrimental to the children. The Mother has shown she does not have the ability and/or desire to care for these children. The children have suffered harm and need permanency now. The Mother does not currently have the ability to meet the children's needs.

CONCLUSION OF LAW

1. There is a reasonable probability that the conditions that resulted in the removal of the children from the parent's care or the reasons for the continued placement outside the home will not be remedied. Mother has a history of instability in her personal life. Mother has

not yet demonstrated the ability or willingness to make lasting changes from her past behaviors, establish stability, and refrain from unlawful behavior. There is no reasonable probability that the Mother will be able to care and provide adequately for her children.

2. The continuation of the parent-child relationships poses a threat to the well-being of these children. These children need stability in their lives. These children have lived most of their recent lives in foster care or otherwise not in the care of their parents. The children have made significant progress since being placed in foster care. The children have some ongoing special needs developmentally and emotionally. They need parents with whom they can form a permanent and lasting bond to provide for their emotional and psychological as well as their physical well-being. Their well-being would be threatened by keeping the children in parent-child relationships with a mother whose own choices and actions have made her unable to care for the needs of her children.
3. The [TCDCS] has a satisfactory plan of adoption for the care and treatment of these children following termination of parental rights. The children can be adopted and there is reason to believe an appropriate permanent home can be found for the children.
4. For the foregoing reasons, it is in the best interests of [K.M.] and [Z.M.] that the parental rights of [Mother] be terminated. Further efforts to reunify would have continued negative effects on the children.

Appellant's Appendix at 2-6, 8-12.

The issue is whether the trial court's termination of Mother's parental rights is clearly erroneous. The traditional right of parents to establish a home and raise their children is protected by the Fourteenth Amendment of the United States Constitution. Bester v. Lake County Office of Family & Children, 839 N.E.2d 143, 147 (Ind. 2005). However, these parental interests are not absolute and must be subordinated to the child's interests in determining the proper disposition of a petition to terminate parental rights.

Id. Parental rights may be terminated when the parents are unable or unwilling to meet their parental responsibilities. Id. The purpose of terminating parental rights is not to punish parents, but to protect children. In re L.S., 717 N.E.2d 204, 208 (Ind. Ct. App. 1999), reh'g denied, trans. denied, cert. denied, 534 U.S. 1161, 122 S. Ct. 1197 (2002).

When reviewing a termination of parental rights, we will not reweigh the evidence or judge the credibility of the witnesses. Bester, 839 N.E.2d at 147. We will consider only the evidence and reasonable inferences therefrom that are most favorable to the judgment. Id. Here, the trial court made findings in granting the termination of Mother's parental rights. When reviewing findings of fact and conclusions thereon entered in a case involving a termination of parental rights, we apply a two-tiered standard of review. Id. First, we determine whether the evidence supports the findings. Id. Then, we determine whether the findings support the judgment. Id. The trial court's judgment will be set aside only if it is clearly erroneous. Id. "A judgment is clearly erroneous if the findings do not support the trial court's conclusions or the conclusions do not support the judgment." Id. (citation and internal quotations omitted).

Ind. Code § 31-35-2-8(a) (2004) provides that "if the court finds that the allegations in a petition described in [Ind. Code § 31-35-2-4] are true, the court shall terminate the parent-child relationship." Ind. Code § 31-35-2-4(b)(2) provides that a petition to terminate a parent-child relationship involving a child in need of services must allege that:

(A) one (1) of the following exists:

- (i) the child has been removed from the parent for at least six (6) months under a dispositional decree;
 - (ii) a court has entered a finding under Ind. Code § 31-34-21-5.6 that reasonable efforts for family preservation or reunification are not required, including a description of the court's finding, the date of the finding, and the manner in which the finding was made; or
 - (iii) after July 1, 1999, the child has been removed from the parent and has been under the supervision of a county office of family and children for at least fifteen (15) months of the most recent twenty-two (22) months;
- (B) there is a reasonable probability that:
 - (i) the conditions that resulted in the child's removal or the reasons for placement outside the home of the parents will not be remedied; or
 - (ii) the continuation of the parent-child relationship poses a threat to the well-being of the child;
- (C) termination is in the best interests of the child; and
- (D) there is a satisfactory plan for the care and treatment of the child.

The State must establish these allegations by clear and convincing evidence. Egly v. Blackford County Dep't of Pub. Welfare, 592 N.E.2d 1232, 1234 (Ind. 1992); Doe v. Daviess County Div. of Children & Family Serv., 669 N.E.2d 192, 194 (Ind. Ct. App. 1996), trans. denied.

Mother challenges the trial court's findings under subsections (B) and (C). Specifically, Mother argues that the following findings by the trial court are clearly erroneous: (A) there was a reasonable probability that the conditions that resulted in the Children's removal or the reasons for placement outside Mother's home would not be

remedied;² and (B) the termination was in the Children’s best interests. We will address each argument separately.

A. Remedy of Conditions Resulting in Removal.

The TCDCS was required to prove by clear and convincing evidence that there was a reasonable probability that the conditions that resulted in the Children’s removal or the reasons for placement outside Mother’s home would not be remedied. To determine whether a reasonable probability exists that the conditions justifying a child’s continued placement outside the home will not be remedied, the trial court must judge a parent’s fitness to care for his children at the time of the termination hearing and take into consideration evidence of changed conditions. In re J.T., 742 N.E.2d 509, 512 (Ind. Ct. App. 2001), trans. denied. However, the trial court must also “evaluate the parent’s habitual patterns of conduct to determine the probability of future neglect or deprivation of the child.” Id. When assessing a parent’s fitness to care for a child, the trial court should view the parent as of the time of the termination hearing and take into account any evidence of changed conditions. In re C.C., 788 N.E.2d 847, 854 (Ind. Ct. App. 2003),

² Mother also argues that the trial court erred by finding that the continuation of the parent-child relationship posed a threat to the well-being of the Children. Ind. Code § 31-35-2-4(b)(2)(B) required the TCDCS to demonstrate by clear and convincing evidence a reasonable probability that *either*: (1) the conditions that resulted in the child’s removal or the reasons for placement outside the home of the parents will not be remedied, *or* (2) the continuation of the parent-child relationship poses a threat to the well-being of the child. The trial court specifically found a reasonable probability that the conditions that resulted in the Children’s removal would not be remedied, and there is sufficient evidence in the record to support the trial court’s conclusion. See infra Part A. Thus, we need not determine whether the trial court’s conclusion that there was a reasonable probability that the continuation of the parent-child relationship poses a threat to the well-being of the Children is clearly erroneous. See, e.g., Bester, 839 N.E.2d at 148 n.5; In re T.F., 743 N.E.2d 766, 774 (Ind. Ct. App. 2001), trans. denied.

trans. denied. The trial court can properly consider the services that the State offered to the parent and the parent's response to those services. Id.

According to Mother, the Children were removed because of the situation in Suzette's home rather than Mother's neglect and "a parent's rights may not be terminated based upon facts and circumstances which are not attributable to the parent." Appellant's Brief at 7. However, the evidence indicates that, although the Children were initially removed due to conditions in Suzette's home, the reasons for continued placement outside Mother's home rest upon Mother's shoulders. Mother left the Children in the care of her sister, Suzette, in September 2003. The Children were still living with Suzette in June 2004, when Suzette's husband was arrested for molesting their daughter. Despite these issues, Mother did not remove the Children from Suzette's care. In fact, although the Children were only supposed to be with Suzette for twelve to eighteen months, they were still living with Suzette in December 2005, when the TCDACS removed the Children from Suzette. Once removed from Suzette, the Children were not placed with Mother because she did not come to Indiana for another couple of months and failed to complete the initial assessments to have the Children placed in her care.

Mother also argues that her situation had improved at the time of the termination hearing. Specifically, Mother contends that she had housing, was raising her two younger children, was attending school for medical assisting, was drug free, was participating in services, and expressed a desire to have the Children returned to her. After the Children were declared CHINS, the trial court ordered Mother to participate in

certain services, but she failed to do so. Over the next several months, Mother did not participate in services, failed to follow the trial court's orders, did not consistently visit with the Children, and did not timely and consistently initiate telephone calls to them. In fact, Mother was found in contempt for failing to follow the trial court's orders and placed in jail.

Moreover, Mother's housing was not as stable as she now contends. At the time of the hearing, Mother was living with her boyfriend, their twins, and his parents in his parents' four-bedroom home. Mother was unemployed, and her boyfriend was off work due to a work-related back injury. Mother testified that she and her boyfriend anticipated buying the house from his parents, but the payments exceeded their monthly income.

According to the family case manager, Blake Jones, Mother never made the Children a priority. Rather, she put her life with her boyfriend and twins ahead of the Children. Although at the time of the hearing, Mother testified that she had started participating in some services in Texas, Jones testified that Mother did not take the trial court's orders seriously until about one month before the termination hearing. Given Mother's habitual patterns of conduct, the trial court concluded that there was a "reasonable probability that the conditions that resulted in the removal of the children from the parent's care or the reasons for the continued placement outside the home will not be remedied." Appellant's Appendix at 5, 11. We cannot say that this finding is clearly erroneous. See, e.g., C.C., 788 N.E.2d at 855 ("Because Cobb failed to complete all of the required services, we conclude that there was sufficient evidence to support the

trial court's finding that the conditions resulting in C.C.'s removal from Cobb's care and custody were not likely to be remedied.").

B. Children's Best Interests.

The TCDCS was required to prove by clear and convincing evidence that the termination was in the Children's best interests. In determining what is in the best interests of the child, the trial court is required to look at the totality of the evidence. A.F. v. Marion County Office of Family & Children, 762 N.E.2d 1244, 1253 (Ind. Ct. App. 2002), trans. denied. In doing so, the trial court must subordinate the interests of the parents to those of the child involved. Id. "[T]he historic inability to provide adequate housing, stability, and supervision, coupled with the current inability to provide the same, will support a finding that continuation of the parent-child relationship is contrary to the child's best interests." In re A.H., 832 N.E.2d 563, 570 (Ind. Ct. App. 2005).

Mother contends that termination was not in the Children's best interests because she had good intentions when she placed the Children with Suzette, she did not abandon the Children, she did not retrieve the Children from Suzette because of extraordinary circumstances, and "she deserves the opportunity to show she can appropriately care for and parent the children." Appellant's Brief at 12.

Josette Martz, who supervised the visitations, testified that, in her opinion, Mother had abandoned the Children and that, as a result, K.M. was "very withdrawn" while Z.M. was "angry." Transcript at 87. Blake Jones testified that termination of Mother's parental rights was in the Children's best interests. According to Jones, Mother never

made the Children a priority. Further, Jones testified that these children in particular need stability and attention in their lives. Mother seems unable or unwilling to give the Children the stability and attention that they need. Given the testimony and the totality of the circumstances discussed above, see supra Facts and Part A, we cannot say that the trial court's finding that termination is in the Children's best interests is clearly erroneous. See, e.g., McBride v. Monroe County Office of Family & Children, 798 N.E.2d 185, 203 (Ind. Ct. App. 2003) (holding that the "OFC proved by clear and convincing evidence that termination of McBride's parental rights would be in the children's best interests").

For the foregoing reasons, we affirm the trial court's termination of Mother's parental rights.

Affirmed.

RILEY, J. and FRIEDLANDER, J. concur